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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/864,839	05/24/2001	Gerard Jay Bellasalma	60137-035	4997

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EXAMINER

MACKEY, JAMES P

ART UNIT

PAPER NUMBER

1722

DATE MAILED: 06/19/2003

7

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/864,839

Applicant(s)

BELLASALMA ET AL.

Examiner

James Mackey

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A 87

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 April 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7,9-12 and 14-34 is/are pending in the application.
- 4a) Of the above claim(s) 15-28 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7,9-12,14 and 31-34 is/are rejected.
- 7) ☒ Claim(s) 29 and 30 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 April 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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1. Applicant's election of Group I, original claims 1-14, in Paper No. 5 is acknowledged.

Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

2. Claims 15-28 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim.

Election was made **without** traverse in Paper No. 5.

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 4, 6, 7, 12 and 31-34 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 4, "said male lock member" is indefinite, since there are two male lock members and therefore the claim is unclear as to which one is intended.

In claim 6, "said pin" (twice) lacks proper antecedent basis in the claim (note that claim 1 refers to a male lock member).

In claim 7, "said pin" lacks proper antecedent basis in the claim (note that claim 1 refers to a male lock member). Further, claim 7 is indefinite as to how a single aperture receives a single "pin" to cooperate with two lock plates.

In claim 12, line 2, "said first and second male lock member" lacks proper antecedent basis in the claim (note that claim 10 refers to lock pins).

In claims 31 and 32, line 2, "said first and second lock" is incomplete, and should be changed to --said first and second lock plates--.

In claims 33 and 34, lines 1-2, "said first and a second lock plate" is unclear, since the second lock plate has been previously recited (it is suggested that the phrase be changed to read --said first and second lock plates--).

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-3, 5-7, 9-11, 14 and 31-34 are rejected under 35 U.S.C. 102(a) and/or (e) as being anticipated by Kaselow et al. (U.S. Patent 6,220,848; Figures 1-4).

Kaselow et al. teach a mold assembly comprising a first mold portion 3 having first and second male lock pins 7 extending therefrom, each pin having a groove 9 formed therein, a second mold portion 2 having a female lock member including first and second lock plates 12 slidably mounted therein along an edge of the second mold portion, the lock plates each having a keyhole-shaped opening 11, 13 for perpendicularly engaging the groove of the pins (which pass through apertures in the second mold portion) to clamp the first and second mold portions together, and an actuator 5 mounted to both of the lock plates (as clearly shown in Figure 4) for simultaneously sliding both lock plates relative to the second mold portion to move the lock plates between locked and unlocked positions.

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 4 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kaselow et al. (U.S. Patent 6,220,848; Figures 1-4) in view of Yonekubo et al. (U.S. Patent 5,456,588; Figures 24-34).

Kaselow et al. teach the mold assembly substantially as claimed (as described above), except for the male lock pins clearly having a frustoconical portion. Yonekubo et al. disclose a mold assembly having male lock pins extending from a first mold portion and a female lock member comprising sliding lock plates mounted to a second mold portion, wherein the male lock pins include a frustoconical portion at the distal end thereof. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kaselow et al. by providing the male lock pins with a frustoconical portion, as disclosed in Yonekubo et al., in order to facilitate entry of the male lock pins into the opening of the lock plate.

9. Claims 33 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kaselow et al. (U.S. Patent 6,220,848; Figures 1-4) in view of either Kitamura (U.S. Patent 5,306,137; Figures 1, 3, 4 and 9) or Rydmann et al. (U.S. Patent 5,375,991; Figures 13-14).

Kaselow et al. teach the mold assembly substantially as claimed (as described above), and further disclose that the lock plates and actuator are located "along an edge of the second mold portion", as broadly construed. Notwithstanding, Kitamura and Rydmann et al. each disclose a mold assembly having male lock pins extending from a first mold portion and a female

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lock member comprising sliding lock plates mounted to a second mold portion, wherein the lock plates and associated actuator are located along an edge of the second mold portion. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kaselow et al. by providing the lock plates and actuator along an edge of the second mold portion, as disclosed in either Kitamura and Rydmann et al., in order to provide clamping of the mold portions at their periphery and to provide access to the mold portions at their central region for resin injectors and/or product ejectors.

10. Claims 29 and 30 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art of record does not teach or fairly suggest a mold assembly having first and second male lock members mounted to a first mold portion, first and second lock plates slidably mounted to a second mold portion, an actuator mounted to the first and second lock plates for moving the lock plates between locked and unlocked positions, wherein the first and second lock plates each comprise a slot such that the first and second lock plates are movable relative to a guide pin extending from the second mold portion, as claimed in claims 29 and 30.

11. Applicant's arguments filed 09 April 2003 have been fully considered but they are not persuasive.

Applicant argues that none of the cited references disclose a pair of plates and an actuator therebetween; however, such is taught in Kaselow et al. as clearly shown in Figure 4.

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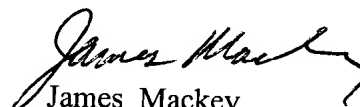
12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James Mackey whose telephone number is 703-308-1195. The examiner can normally be reached on M-F, 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wanda Walker can be reached on 703-308-0457. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9310 for regular communications and 703-872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.



James Mackey
Primary Examiner
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6/16/03

jpm
June 16, 2003